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## THE AIR-LINE TO BE SOLD

THE COURT FIXES NOV. 22 AS DAY OF SALE AT HUNTINGBURG.

Vandalla Attorneys Preparing to Appeal to Higher Courts in the Litigation with the State.

Second Vice President Finley, of the Southern Railway, yesterday confirmed the report of the appointment of George C. Smith, present general manager of the Atlanta & West Point road, to be general manager of the Southern Railway, to comprise both the Louisville, Evansville & St. Louis, generally known as the Air-line, and the present Louisville division of the Southern, running from Louisville to Lexington. The Louisville Air-line road is now in the hands of a receiver and will be sold under foreclosure of certain mortgages Nov. 22 at Huntingburg, Ind. The Southern will buy it in.

A Long Receivership in Prospect.

One of the attorneys of the Vandalla said yesterday that they were preparing to appeal from the decision of Judge Carter in the case of the State of Indiana against the Terre Haute & Indianapolis Railway, and should the Supreme Court of Indiana sustain Judge Carter's decision, the case would then be carried to the United States Supreme Court. The Vandalla will have been in the hands of Receiver Malott four years, and from present indications will be for three or four years to come. Fortunately, as a high official of the Pennsylvania road said, under the receivership the road is being operated as economically and successfully for its owners as it could be under any management that could be selected.

Annual Meeting of the Big Four.

At the annual election of the Cleveland, Cincinnati, Chicago & St. Louis Railway Company in Cincinnati yesterday W. K. Vanderhill, chairman of the board, presided. The board of directors consisted of W. K. Vanderhill, chairman, and Messrs. J. P. Morgan, George B. F. Smith, W. M. F. T. McQuiddy, Secretary.

STORAGE.

STORAGE—The Union Transfer and Storage Company, corner East 10th and Main streets, has a large stock of storage space for rent. The rates are very low. For particulars, apply to the company.

WANTED—Miscellaneous.

WANTED—A good housekeeper for a family of four. Apply to the advertiser.

FOR SALE.

FOR SALE—The Hotel Windsor, at Nashville, Tenn. A large brick building, with 100 rooms, and a large garden. For particulars, apply to the advertiser.

THE RECORD SHOWS THE FACT.

Bryan Voted Against Teaching English in New Mexico's Public Schools.

To the Editor of the Indianapolis Journal: During the last week numerous telegrams and letters have reached me from various parts of the country asking for the facts connected with Mr. Bryan's vote against the teaching of the English language in the schools of New Mexico. As a journalist, I am bound to give the facts as they are, and I have concluded to give out the following statement so that the facts may be known as they absolutely exist:

On June 27, 1894, the House was proceeding under a special order, having under consideration House Bill 353 of the Fifty-third Congress, entitled "A bill to enable the people of New Mexico to form a constitutional and State government and be admitted into the Union," etc. The following paragraph, being a part of Section 2, was pending:

"Fourth—That provision shall be made for the establishment and maintenance of a system of public schools, which shall be open to all the children of said State and free from sectarian control; and the English language shall be the language of instruction in all the public schools of said State."

After two hours' debate, in which the Republicans appealed to the Democrats to accept this amendment, Mr. Joseph (Democrat), delegate from Houston, Texas, physically refused. The following Republican spoke in favor of the amendment: Mr. Smith, of Illinois (Republican), submitted the following amendment:

"Insert on Page 1, in Line 32, after the word 'control' the following: 'And in all of which public schools, the English language shall be taught.'"

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## CITY AND ITS SURGEON

THE FORMER NOT LIABLE FOR LATER PROFESSIONAL ACTS.

Judge Leathers' Ruling in a Damage Suit in the High Courts—Other Cases.

Judge Leathers, of the Superior Court, recently made two rulings in suits affecting the city. One was that of John Allen against Dr. Wilmer Christian and the city of Indianapolis for \$5,000 damages. Allen alleges he had both wrists and a leg broken while performing his duty as a fireman on the city fire engine, and while otherwise engaged in his duty, he was injured, leaving him permanently crippled. He avers the treatment of Dr. Christian, the police surgeon, was unskilled, and that the physician was negligent in ministering to him. A demurrer was filed to the complaint, and in ruling on the demurrer Judge Leathers held that so far as the city is concerned it is not responsible for the acts of the surgeon and cannot be made a party to the suit. He said the city is not bound to supply a surgeon to treat its employees for injuries sustained while in the service of the city, and that the surgeon is furnished for them through charity, also, that Allen was not compelled to accept the attention of the police surgeon. He held that the city is not liable for acts of its employees or agents. Evidence may show in the trial that the city should be a party to the suit filed, but the principle remains unchanged, and unless governed by current circumstances it will apply to all similar cases.

A demurrer from the general offices of the Mobile & Ohio states that henceforth the system will be operated in two divisions. W. W. Clark, who is now in charge of the Mobile & Ohio at St. Louis, has been appointed superintendent of the St. Louis division, with headquarters at Cairo, Ill., and J. W. Taylor, another fireman, has been appointed superintendent of the Mobile division, with headquarters at Mobile, Ala. The general freight agent of the Mobile & Ohio at St. Louis, W. W. Clark, has been assigned to the Mobile division, and J. W. Taylor, another fireman, has been assigned to the Mobile division, with headquarters at Mobile, Ala.

Police Court Cases.

John O'Callahan, a Peddler, Heavily Fined—Other Sentences.

In Police Court yesterday John O'Callahan, a peddler, was fined \$100 and costs and given thirty days in the workhouse for drunkenness and \$50 and costs for peddling without a license. Complaint was made that he insulted a woman upon whom he called and who refused to make purchases of his goods.

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